

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:

DATE FILED: 1/24/08

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UNITED STATES OF AMERICA :

WAIVER OF TRIAL
BY JURY

- v. - :

PETER FOREMAN, :

07 Cr. 735 (LAK)

Defendant. :

- - - - -x

The defendant, PETER FOREMAN, having been fully advised by defense counsel, Mark Gombiner, Esq. of (i) his right to plead guilty and (ii) the applicability and operation of the United States Sentencing Guidelines in this case; and

Having been advised by counsel and the Court of his constitutional right to a trial by jury, and specifically, (i) that a jury is composed of 12 members of the community; (ii) that the defendant may participate in the selection of jurors; (iii) that the jury's verdict must be unanimous; and (iv) that if the defendant waives a jury trial, then a judge alone will decide the defendant's guilt or innocence; and

Having fully discussed all of the foregoing matters with defense counsel,

Hereby knowingly and voluntarily waives his right to a trial by jury and consents to allow the Court to find whether he is guilty or not guilty, in accordance with Rule 23(a) and (c) of the Federal Rules of Criminal Procedure.

Pursuant to Rule 23(a)(2) of the Federal Rules of Criminal Procedure, the United States hereby consents to the defendant's waiver of his right to a trial by jury and to allow the Court to find if the defendant is guilty or not guilty.

Dated: New York, New York
January 23, 2008

By: Peter Foreman
PETER FOREMAN

By: Mark Gombiner
MARK GOMBINER, ESQ.
Attorney for Peter Foreman

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York

By: Lee Renzin
Lee Renzin
Assistant United States Attorney

APPROVED:

[Signature]
United States District Judge

1/24/08